

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

ALASKA RENT-A-CAR, INC. v. CENDANT CORP., ET AL

HONORABLE TIMOTHY M. BURGESS

DATE: August 15, 2007

CASE NO. 3:03-cv-00029-TMB

PROCEEDINGS: **MINUTE ORDER FROM CHAMBERS**  
**Re: Motions at Docket Nos. 294, 305, 311, and 313**

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At Docket No. 294 Defendants moved to strike § II.B.5 of Plaintiff's opposition to Defendants' motion for summary judgment (Docket No. 199). At Docket No. 313, Plaintiff's responded by withdrawing § II.B.5 and offering an "alternative" § II.B.5. Defendants opposed the motion to substitute the proposed "alternative." The Court in ruling on Defendants' motion for summary judgment disregarded § II.B.5 requested be stricken by Defendants and withdrawn by Plaintiff, and did not consider the substitute offered by Plaintiff, effectively granting the motion at Docket No. 294 and denying the motion at Docket No. 313, *sub silentio*.

IT IS ORDERED THAT the Motion at Docket No. 294 is GRANTED and the motion at Docket No. 313 is DENIED.

At Docket No. 305, Defendants moved for clarification of its Order at Docket No. 297. Subsequent events in this case have rendered that motion moot.

IT IS ORDERED THAT Defendants' motion at Docket No. 305 is DENIED, as moot.

At Docket No. 311, Plaintiff requested oral argument on the motion at Docket No. 302. Subsequently, the Court in open court granted Defendants' oral motion to withdraw the motion at Docket No. 302.

IT IS ORDERED THAT the Plaintiff's motion for oral argument at Docket No. 311 is DENIED, as moot.